

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**  
**ORDER**

Application 11506 Permit 6739 License 4496

**ORDER AMENDING LICENSE**

**WHEREAS:**

1. License 4496 was issued to Christopher H. Putman and recorded at the office of the Mono County Recorder on January 11, 1957.
2. License 4496 was subsequently assigned to Doug H. Smith and Larry A. Miller.
3. License 4496 confers upon Doug H. Smith and Larry A. Miller an appropriative right to use water from an Unnamed Spring tributary to Rush Creek in Mono County.
4. Fish and Game Code Section 5946 requires that the State Water Resources Control Board condition Licenses that authorize diversion of water in Department of Fish and Game District 4 ½ (Inyo and Mono Counties) to specify compliance with Section 5937 of the Fish and Game Code.
5. The License was issued without referencing compliance with Section 5937.
6. Since amendment of License 4496 to require compliance with Fish and Game Code Section 5937 is a ministerial action, this Order is exempt from the provisions of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines in accordance with Section 21080 of the Public Resources Code.

**NOW, THEREFORE, IT IS ORDERED THAT:**

The following condition is added to this License:

In accordance with the requirements of Fish and Game Code Section 5946, this License is conditioned upon full compliance with Section 5937 of the Fish and Game Code.

Dated: **JUNE 13 1997**

  
Walt Pettit  
Executive Director



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 11506

PERMIT 6739

LICENSE 4496

THIS IS TO CERTIFY, That **Christopher H. Putman**  
**Grant Lake, June Lake Post Office**  
**California**

Notice of Assignment (Over)

has made proof as of **August 14, 1954**

(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of  
**unnamed spring in Mono County**

tributary to **Rush Creek**

for the purpose of domestic and recreation uses

under Permit **6739** of the State Water Rights Board and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from **August 10, 1946**; and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed **three thousand four hundred fifty (3,450) gallons per day** to be diverted from about **April 1** to about **November 15** of each year.

The point of diversion of such water is located north forty-one degrees forty minutes west (N 41° 40' W) one thousand four hundred (1,400) feet from SE corner of Section 29, T 1 S, R 26 E, MDB&M, being within SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 29.

A description of the lands or the place where such water is put to beneficial use is as follows:

Domestic and recreational use within NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 28, T 1 S, R 26 E, MDB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

COVERED BY LICENSE ORDER NO. 8

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JAN 7 1957

STATE WATER RIGHTS BOARD

By Leslie C. Johnson  
Leslie C. Johnson  
Chief Engineer

7/31/58

RECEIVED NOTICE OF ASSIGNMENT TO Erroy J. Larson  
+ Hazel P. Larson

4-27-64 RECEIVED NOTICE OF ASSIGNMENT TO B.H.M. & Co. Partnership

3-28-77 RECEIVED NOTICE OF ASSIGNMENT TO Allen F. and  
Genevieve N. Barnes

3-26-84 Assign to Henry A. & Veta L. Jensen

4/1/97 Assign to Doug H. Smith & Gary A. Miller

LICENSE 4496

STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Christopher H. Putman

DATED JAN 7 1957

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